

DAILY DIGEST

Vol. 17, No. 125

June 30, 1998

**Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

NEWS RELEASES

COMMISSION GRANTS ECI MOTION: DECLARES THAT ECI IS NOT A CABLE SYSTEM OPERATOR. Action by the Commission June 4, 1998, by MO&O (FCC 98-111).. Report No: CS 98-9. News Media Contact: Morgan Broman (202) 418-2358. CSB Contact: Steve Broeckaert at (202) 418-7200 or TTY at (202) 418-7172. Internet URL: https://www.fcc.gov/Bureaus/Cable/News_Releases/1998/nrcb8016.wp

INTERNATIONAL BUREAU AUTHORIZES ISR BETWEEN THE UNITED STATES AND JAPAN. Action by Chief, Telecommunications Division, International Bureau, June 30, 1998, by Order and Authorization (DA 98-1300). Report No: IN 98-35. News Media Contact: Rosemary Kimball (202) 418-0500. IB Contact: John Gusti at (202) 418-1407.

FCC ISSUES RULEMAKING ON PROPOSAL FOR ON-LINE SERVICE FOR ASSIGNMENT AND CHANGE OF RADIO-TV CALL SIGNS. Action by the Commission, June 30, 1998, by NPRM (FCC 98-130). Report No: MM 98-10. News Media Contact: David Fiske (202) 418-0500. MMB Contact: James J. Brown or Jerianne Timmerman at 9202) 418-1600.

PUBLIC NOTICES

Released: June 30, 1998. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG. Contact: Public Reference Room at (202) 418-1933. Internet URL:

https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/combined/tt063098.pdf

Released: June 30, 1998. NATIONAL TELEPHONE & COMMUNICATIONS, INC. EMERGENCY PETITION FOR PARTIAL WAIVERS PLEADING CYCLE ESTABLISHED (CC DOCKET 96-45).Comment date: July 14, 1998; reply comment date: July 21, 1998. (DA No. 98-1301). Contact: Linda P. Armstrong, Accounting Policy Division, Common Carrier Nureay at (202) 418-7400 or via e-mail at larmstro@fcc.gov.

Released: June 30, 1998. NOTICE OF PUBLIX NETWORK CORPORATION'S TELECOMMUNICATIONS RELAY SERVICES (TRS) CERTIFICATION (CC DOCKET 90-571). (DA No. 98-1239). Contact: Al McCloud at (202) 418-2499 or e-mail at amccloud@fcc.gov; Helene Nankin at (202) 418-1466 or e-mail at hnankin@fcc.gov; or Kris Monteith at (202) 418-1098 or e-mail at kmonteit@fcc.gov.

Released: June 30, 1998. FIRST QUARTER 1998 INFLATION ADJUSTMENT FIGURE FOR CABLE OPERATORS USING FCC FORM 1240 NOW AVAILABLE. (DA No. 98-1292). Contact: Patrick Boateng at (202) 418-2370 or TTY at (202) 418-7172. News Media Contact: Morgan Broman (202) 418-2358. Action by:

Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Internet URL:
https://www.fcc.gov/Bureaus/Cable/Public_Notices/1998/da981292.wp

Report No: IN 98-34. Released: June 30, 1998. WRC-99 ADVISORY COMMITTEE MEETINGS OF INFORMAL WORKING GROUPS. Contact: Nancy Wiley of the International Bureau's Planning and Negotiation Division at (202) 418-2213. Internet URL:
https://www.fcc.gov/Bureaus/International/Public_Notices/1998/pnin8170.wp

Report No: 44273. Released: June 30, 1998. BROADCAST ACTIONS. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac980630.txt

Report No: 24273. Released: June 30, 1998. BROADCAST APPLICATIONS. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap980630.txt

TEXTS

ENTERTAINMENT CONNECTIONS, INC. Granted Entertainment Connection, Inc.'s ("ECI") motion for a declaratory ruling that it is not a cable operator, and therefore need not comply with the requirements of Title VI of the Communications Act, including the obligation to obtain a franchise. Action by the Commission. Adopted: June 4, 1998. by MO&O. (FCC No. 98-111). CSB Internet URL:
<https://www.fcc.gov/Bureaus/Cable/Orders/1998/fcc98111.wp>

TIME WARNER. Granted Time Warner Amended Petition for Reconsideration. Granted complaint filed against the January 1, 1998 rate increase and denied complaint filed against the January 1, 1997 rate increase for cable programming services tier rate Time Warner Cable was charging in East Hernando County, FL. Granted in part Operator's Petition for Reconsideration of DA 97-1448. Action by Acting Chief, Cable Services Bureau. Adopted: June 24, 1998. by Order. (DA No. 98-1261). CSB Internet URL:
<https://www.fcc.gov/Bureaus/Cable/Orders/1998/da981261.wp>

CABLE NEWS NETWORK, INC. Partially granted program access complaints filed by Turner Vision, Inc., Satellite Receivers, Ltd., Consumer Satellite Systems, Inc., and Programmers Clearing House, Inc. against Cable News Network, Inc. finding that CNN engaged in unlawful price discrimination for failure to justify the entire amount of the disputed price differential pursuant to the relevant statutory factors. The parties are ordered to renegotiate the price charged by CNN to the Complaintants for its programming. Action by Acting Chief, Cable Services Bureau. Adopted: June 26, 1998. by MO&O. (DA No. 98-1295). CSB

TIME WARNER CABLE. Granted in part Time Warner Cable Amended Petition for Reconsideration. Granted complaints filed against cable programming service tier rates in the Town of Perinton, NY. Found cable programming service tier rates reasonable beginning Juanary 1, 1997 and unreasonable January 1, 1998. Action by Acting Chief, Cable Service Bureau. Adopted: June 25, 1998. by Order. (DA No. 98-1275). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/da981275.wp>

TIME WARNER CABLE. Granted complaint filed against the January 1, 1998 rate increase for cable programming services tier in Portland, OR. Action by Acting Chief, Cable Services Bureau. Adopted: June 25, 1998. by Order. (DA No. 98-1279). CSB Internet URL:
<https://www.fcc.gov/Bureaus/Cable/Orders/1998/da981279.wp>

FALCON CABLE SYSTEMS. Granted appeal of a rate order adopted by the Regional Cable Commission, acting on behalf of the City of Drain, OR, denying Falcon's request to increase its BST rate and equipments charges, because the local rate order failed to demonstrate why the proposed rates were unreasonable. Action by

Acting Chief, Cable Services Bureau. Adopted: June 26, 1998. by MO&O. (DA No. 98-1267). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/da981267.wp>

CABLE TV DEL NOROESTE. Granted petition filed by Cable TV Del Noroeste for revocation of the certification of the Puerto Rico Telecommunications Regulatory Board to regulate basic cable rates in certain municipios of Puerto Rico. Action by Acting Chief, Cable Services Bureau. Adopted: June 26, 1998. by MO&O. (DA No. 98-1269). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/da981269.wp>

FALCON COMMUNITY VENTURES I. Granted Falcon's appeal of a rate order adopted by the City of Roseburg, OR, and remanding the rate order to Roseburg for further action consistent with the Bureau's decision. Action by Acting Chief, Cable Services Bureau. Adopted: June 26, 1998. by MO&O. (DA No. 98-1266). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/da981266.wp>

MULTI-CABLEVISION CO. OF LIVINGSTON/WASHTENAW. Granted Petition for Special Relief filed by Multi-Cablevision Co. of Livingston/Washtenaw requesting small system relief for its cable system in Michigan. Action by Acting Chief, Cable Services Bureau. Adopted: June 25, 1998. by MO&O. (DA No. 98-1282). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/da981282.wp>

TIME WARNER CABLE. Granted complaints filed against January 1, 1998 rate increase for cable programming services tier in Bridgeport, Clarksburg and Fairmont, WV. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: June 25, 1998. by Order. (DA No. 98-1263). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/da981263.wp>

CASCO CABLE TELEVISION, INC., CASCO CABLE TELEVISION OF BATH, MAINE, INC. Granted Petition for Special Relief filed by Casco Cable Television, Inc., Casco Cable Television of Bath, Maine, Inc. requesting small system relief for its system in Brunswick, Maine. Also granted Petition for Reconsideration of prior order which found that Casco Cable Television, Inc., Casco Cable Television of Bath, Maine, Inc. had incorrectly calculated its cable programming services tier rates beginning September 1, 1993, in various communities in Maine. Action by Acting Chief, Cable Services Bureau. Adopted: June 26, 1998. by MO&O. (DA No. 98-1283). CSB

BENCHMARK ACQUISITION FUND I LIMITED PARTNERSHIP D/B/A CABLEVISION OF LOUDOUN. Denied Petition for Special Relief filed by Benchmark Acquisitions Fund I Limited Partnership d/b/a Cablevision of Loudoun requesting a waiver of the Commission's rules defining systems subject to small system relief. Action by Acting Chief, Cable Services Bureau. Adopted: June 25, 1998. by MO&O. (DA No. 98-1281). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/da981281.wp>

PACIFIC GATEWAY EXCHANGE, INC. AND CABLE & WIRELESS, INC. Granted the applications of Pacific Gateway Exchange, Inc. and Cable & Wireless, Inc. and added Japan to the list of countries for which U.S. carriers may provide switched, basic telecommunications services on a resale basis over their authorized international private lines. Action by Chief, Telecommunications Division. Adopted: June 30, 1998. by Order. (DA No. 98-1300). IB

1998 BIENNIAL REGULATORY REVIEW--AMENDMENT OF PART 73 AND PART 74 RELATING TO CALL SIGN ASSIGNMENTS FOR BROADCAST STATIONS. Adopted the modification of practices and procedures regarding assignment of call signs to radio and television broadcast stations, replacing existing procedures with an on-line system for the electronic preparation and submission of requests for the reservation and authorization of new and modified call signs. Dkt No.: MM-98-98. Action by the Commission. Adopted: June 22, 1998. by NPRM. (FCC No. 98-130). MMB Contact: James J. Brown or Jerianne Timmerman, Video Services Division, at (202) 418-1600. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Notices/1998/fcc98130.wp

LETTER TO PRESIDENT OF COLUMBIA ENERGY TELECOMMUNICATIONS COMPANY. Notified Columbia Energy Telecommunications Company of their status as an exempt telecommunications company. Action by By Deputy General Counsel. Adopted: June 30, 1998. by Letter. (DA No. 98-1291). OGC

ADDENDA: The following items, released June 29, 1998, did not appear in Digest No. 124:

TEXTS

1998 ANNUAL ACCESS TARIFF FILINGS. Suspended for one day the tariff revisions for price cap local exchange carriers filed by Aliant Communications Company, Ameritech Operating Companies, Bell Atlantic Operating Companies, NYNEX Telephone Companies, BellSouth Telecommunications, Inc., Cincinnati Bell Telephone Company, Citizens Telecommunications Companies, Frontier Communications of Minnesota and Iowa, Frontier Telephone of Rochester, GTE Systems Telephone Companies, GTE Telephone Operating Companies, Nevada Bell, Pacific Bell, Southern New England Telephone Company, Southwestern Bell Telephone Company, Sprint Local Telephone Companies, and U S West Communications, Inc. and instituted an investigation. Suspended for one day the tariff revisions filed by Sugar Land Telephone Company, Century Telephone Company of Ohio, ALLTEL of Missouri, and ALLTEL of Georgia and instituted an investigation. Dkt No.: CC-98-104. Action by Deputy Chief, Common Carrier Bureau. Adopted: June 29, 1998. by MO&O. (DA No. 98-1294). CCB

NATIONAL EXCHANGE CARRIER ASSOCIATION, INC. Ordered that the average schedule formulas proposed by the National Exchange Carriers Association, Inc. for Traffic Sensitive Central Office, Line Haul Non-Distance Sensitive, Line Haul Distance Sensitive, Intertoll Dial Switching, Special Access, Traffic Sensitive Rate of Return, Signaling System 7, Database Query and Interim NXX Translation, Common Line Rate of Return, and Common Line become effective on July 1, 1998 and remain in effect through June 30, 1999. Ordered the average schedule formulas proposed by the National Exchange Carrier Association, Inc. for Universal Service Fund Loop Cost become effective July 1, 1998 and remain in effect through December 31, 1998. Action by Chief, Accounting Safeguards Division. Adopted: June 29, 1998. by Order. (DA No. 98-1297). CCB

DUMONT TELEPHONE COMPANY AND UNIVERSAL COMMUNICATIONS, INC. Granted Dumont's and Universal's Request for Stay of MO&O released February 14, 1997. Action by Chief, Accounting Safeguards Division. Adopted: June 29, 1998. by Order. (DA No. 98-1298). CCB

SBC COMMUNICATIONS INC. Partially granted the petitions to suspend SBC's transmittal 1293 filed by ACI Corp., Covad Communications Company, America Online, Inc., the Association for Local Telecommunications Services, California Cable Television Association, Commercial Internet Exchange Association, Cox Communications, Inc., Northpoint Communications, Inc., MCI Telecommunications Corporation, Sprint Corporation, and Teleport Communications Group, Inc. Dkt No.: CC-98-103. Action by Chief, Competitive Pricing Division, Common Carrier Bureau. Adopted: June 29, 1998. by Order. (DA No. 98-1293). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1998/da981293.wp

NORTH CAROLINA UTILITIES COMMISSION. Extended the deadline for filing tariffs and supporting documentation for intrastate payphone service offerings in North Carolina that have not been determined by the North Carolina Commission to comply with Section 276 of the Communications Act of 1934, as amended, and the Commission's implementing rules, including the new services test to August 1, 1998. Action by Chief, Competitive Pricing Division, Common Carrier Bureau. Adopted: June 29, 1998. by Order. (DA No. 98-1296). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1998/da981296.wp

TEMPLE UNIVERSITY OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION. Denied Temple University of the Commonwealth System of Higher Education's Application for Review of denial of extension of time filed June 2, 1997. Action by the Commission. Adopted: June 22, 1998. by MO&O. (FCC No. 98-128). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/fcc98128.wp

AMENDMENT OF PART 0 OF THE COMMISSION'S RULES TO REFLECT THE ELIMINATION OF THE COMPETITION DIVISION. Amended Part 0 of the Rules and Regulations. Action by the Commission.

Adopted: June 23, 1998. by Order. (FCC No. 98-136). OGC Internet URL:

<https://www.fcc.gov/Bureaus/OGC/Orders/1998/fcc98136.wp>